

**To:** Kaiser, Sven-Erik[Kaiser.Sven-Erik@epa.gov]  
**Cc:** Borum, Denis[Borum.Denis@epa.gov]  
**From:** Maier, Brent  
**Sent:** Fri 2/13/2015 8:01:44 PM  
**Subject:** Letter from Bay area Delegation to ACOE - Re: Redwood City salt ponds  
2015-02-12 Darcy USACE CWA JD.pdf

Sven –

Passing along a letter to ACOE as an FYI regarding Redwood City Salt Plants.

Also included is a Press Release from Congresswoman Jackie Speier's Office issued today.

## **Congresswoman Speier Sends Letter to the Army Corps of Engineers Expressing Concern About Clean Water Act Permitting in San Francisco Bay**

February 13, 2015

**WASHINGTON, DC** – Congresswoman Jackie Speier (D-San Francisco/San Mateo Counties) sent a letter yesterday signed by ten other members of the Bay Area delegation to Assistant Secretary of the Army for Civil Works Jo-Ellen Darcy, expressing concern about the U.S. Army Corps of Engineers' upcoming decision as to whether the Redwood City Salt Plant site falls under the Clean Water Act and Rivers and Harbors Act. Speier warned the Army Corps that it should not adopt a novel, unilateral re-interpretation of the Clean Water Act that would be inconsistent with its past rulings and might limit the EPA's ability to regulate similar post-industrial sites nationwide.

The Army Corps of Engineers is considering whether the Redwood City Salt Plant site falls under the jurisdiction of the Clean Water Act and the Rivers and Harbors Act. Previous Corps of Engineers determinations from 2010 and 2008 found that the Redwood City Salt Plant salt ponds are Waters of the United States under the Clean Water Act and Rivers and Harbors Act. Overturning this precedent could have broad consequences for federal protection of waters nationwide.

"One agency should not unilaterally issue a ruling that guts the Clean Water Act's jurisdiction," said Speier. "We strongly urge the Corps to review their own precedents, provide due process, and fully consult with the EPA, Congress, and other stakeholders before they decide that certain sites are not worthy of protection."

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Brent Maier

Congressional Liaison

U.S. Environmental Protection Agency, Region IX

75 Hawthorne St. (OPA-3)

San Francisco, CA 94105

Ph: 415.947.4256

**From:** Brush, Jason

**Sent:** Thursday, February 12, 2015 6:48 PM

**To:** Maier, Brent; Zito, Kelly; Skadowski, Suzanne

**Subject:** Fw: Letter from Bay area delegation re Redwood City salt ponds

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Diamond, Jane <[Diamond.Jane@epa.gov](mailto:Diamond.Jane@epa.gov)>

**Sent:** Thursday, February 12, 2015 5:17 PM

**To:** Brush, Jason; Woo, Nancy; Scianni, Melissa

**Subject:** FW: Letter from Bay area delegation re Redwood City salt ponds

I will forward to OW.

Jane Diamond

Water Director, EPA Region 9

415-947-8707

**From:** Strauss, Alexis

**Sent:** Thursday, February 12, 2015 3:14 PM

**To:** Zito, Kelly; Quast, Sylvia; Blumenfeld, Jared; Diamond, Jane

**Subject:** Letter from Bay area delegation

**From:** Goldstein, Miriam [<mailto:Miriam.Goldstein@mail.house.gov>]

**Sent:** Thursday, February 12, 2015 3:01 PM

**To:** Strauss, Alexis

**Subject:** Letter from Bay area delegation

Hi Alexis,

Just wanted to let you know that the letter from 11 members of the Bay Area delegation went out to the Army Corps today. The letter is attached, and we'll do a press release tomorrow.

-Miriam

Miriam C. Goldstein, Ph.D.

Legislative Assistant

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